

**MINUTES**  
**(Subject to approval by the Committee)**  
**Federal Lands Interim Committee**  
**Friday, September 12, 2014**  
**12:00 P.M.**  
**Sandpoint Events Center**  
**Sandpoint, Idaho**

The meeting was called to order at 6:30 p.m. by Cochairman Senator Chuck Winder. Other committee members present included Cochairman Representative Lawrence Denney, Senator John Tippetts, Senator Sheryl Nuxoll, Representative Stephen Hartgen, Representative Terry Gestrin and Representative Mat Erpelding. Senator Bart Davis, Senator Michelle Stennett and Representative Mike Moyle were absent and excused. LSO staff members present were Mike Nugent and Toni Hobbs.

Community members present included: Christian Fioravanti; Pam and Carl Stout; Sara Hall, Boundary County Citizen Lands Alliance; Terry and Donna Capurso; Lee Pinkerton; Roy Nunn; Andrew Smith; Lynda Fioravanti; Jeremy Conlin; Ken Thacker; Frank Schwab; Heather Scott; Travis Thompson; Harold and Judy Morris, Back Country ATV; Alton and Arlene Howell, Idaho Farm Bureau; Laura Bry; Danielle Ahrens; Steve Lockwood; James Klaus; Brad Cederblom; John Weyant; Phil Deutchman; Andrew Sorg; Susan Drumheller, Idaho Conservation League; Denise Zembryki; Ron Mamajek; Dan Dinning; Scott Rockholm; R. A. Wombacher; Jann Higdem, Shoshone Planning and Zoning Commission; Bill Keis; Brent Regan; Cornel Rasor, Bonner County Natural Resources Committee; Ed Robinson and Stephen Smith, Idaho Department of Lands; Will and Marie Valentine; Alan Littlejohn; Lexie de Fremery; Thomas Leo, Panhandle Riders; Carolyn Minnick; Lori and John Simonsen; Daniel Furtney; Nancy Dooley; Linda Littlejohn; Andrew Scott; Brenda Klein; Molly McCahon; Debi Jacobs; Robin Gray; Vicki Young; Theresa Sparr; Dee Sexsmith; Andy Mott; Shane Sater; Rebekah Davis; Larry Yergler, Shoshone County Commissioner; Carol Jenkins; Ray Atkinson; Gary Payton, Art Piltch; Angelo Lonziser; Glen Bailey; Chris Allen; Eric Van Orden, Coeur d'Alene Tribe; Darrell Anderson; Kim Anderson; Chris Anderson; Dan Krabacher; Brenda Brown; Karen Hanna; Hollan Clements; Representative Ed Morse; Eric Redman; Kathy and Daniel Rose; Bob Bingham and Carla Woempner, North West Property Owners Alliance; Patrick Phillips; Jeff and Tia Avery; Representative Shannon McMillan; Linda Beymer; Roger Schmid; Representative Ron Mendive; Rod Barcklay; and Jane Fritz, The Idaho Mythweaver.

**Mike Nugent**, LSO Staff, gave background information on the committee's charge. He explained that the purpose of interim committees is to give the Legislature more time to study a subject that is too complex to complete during the legislative session. This committee is a two-year committee that ceases to exist on November 30, 2014. In order to continue, the next Legislature will have to pass a new resolution or put something in statute. The committee was formed pursuant to the adoption of [HCR21](#) and [HCR22](#) during the 2013 Legislature. He also explained that all information from past meetings is available on the LSO website at: [www.legislature.idaho.gov](http://www.legislature.idaho.gov).

**Senator Winder** explained that this is going to be a long-term process that will probably require a recommendation for some type of land commission to pursue the opportunities that are out there regarding federal land transfers. He noted that a lot of other states are interested in the issue as well and that it is a bipartisan issue across the West. Senator Winder noted that it is not easy and, if the state got all of the federal land back, there would still be endangered species and EPA issues to deal with. He added that the committee wanted to reach out to communities that are impacted by these federal regulations and hear concerns and stories about how they are impacted.

Written testimony was also accepted by the committee and that is posted at: <http://www.legislature.idaho.gov/sessioninfo/2014/interim/lands.htm>

## **CHRISTIAN FIORAVANTI**

**Christian Fioravanti** spoke in favor of the transfer of lands back to the state. He discussed the constitutionality of this issue. He said that the constitution is the supreme law of the land and every legislator takes an oath of office to defend and uphold the U.S. Constitution. In his opinion, the Founding Fathers never intended for an all-powerful central government to control a majority of state lands. The U.S. Constitution only gives the federal government the right to control land with permission from the states for forts, magazines, arsenals and dockyards. He also said that the equal footing doctrine (Section 3, Article IV) is critical. The western states are being discriminated against because the states do not control the lands within their borders. He said it is the legislators' duty to bring the lands back to the western states because of the oath of office they have taken.

## **PAM STOUT**

**Pam Stout** stated that the promise made by the federal government in the constitution guaranteeing that each new state would be admitted to the Union on equal footing to the original 13 states has been broken. In her opinion, the western states are not on equal footing with all other states. They do not control all the lands within their borders. They are being discriminated against every day with the funding for schools and infrastructure falling on a small number of private landowners.

**Ms. Stout** said that Idaho is a state of vast resources and the citizens should be able to use those resources. She said that the Forest Service burns down marketable timber because it has become a fire hazard instead of using it to provide income for Idahoans.

She asked that the Legislature take the actions that will place Idaho on equal footing with the eastern states.

## **SARA HALL**

**Sara Hall**, Boundary County Citizen Lands Alliance, said that the transfer of land back to the state is the only way to manage it for the benefit of Idahoans and the environment. She cautioned that if the state does begin to manage the lands, it needs to not simply rubber stamp what the federal government wants. She said this seems to be happening with the Western Governor's Association and Governor Otter telling Idaho Fish and Game to cooperate with federal agencies with the Wildlife Corridor Initiative.

**Ms. Hall** went on to discuss that there is a mining company from China located in the area that is allowed to mine with a horrible environmental track record while small miners with perhaps just a gold pan are banned. She does not think this is good management.

## **TERRY CAPURSO**

**Terry Capurso** used a map of Boundary County to show that 75% of the land in that county is under U.S. Forest Service control, 25% is privately owned with 10-15% of the remaining private land use being manipulated by conservation easements administered by the Idaho Department of Lands/Forest Legacy Programs (2001). He said that under these conditions there is no chance of an economy, the only economy is government.

**Mr. Capurso** also mentioned constitutionality issues relating to Section 8, Article I and Section 3, Article IV of the U.S. Constitution. He went on to say that it was not until 1976 when Congress passed the Federal Land Policy Management Act (FLPMA), unilaterally declaring that it was their new policy to retain state lands in federal ownership, that Congress stopped recognizing its duty to dispose of public lands. He added that Idaho's enabling act contains the same language as states east of Colorado, so the argument saying Idaho gave up its land seems false.

**Mr. Capurso** stated the following from the 2009 Hawaii vs. Office of Hawaiian Affairs Supreme Court Decision:

- "In 1959, Congress admitted Hawaii to the Union. Under the Admission Act, with exceptions not relevant here, the United States granted to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. This unanimous Supreme Court decision states, in simple terms that the fundamental process dictated by the constitution for statehood formation cannot be changed."

In conclusion, **Mr. Capurso** emphasized that this should be a top priority for the 2015 Legislature. He reminded the committee that in Legislative District 1, two incumbent legislators were voted out in the primary this year primarily due to the issues of the economy and taking back the public lands. He suggested Idaho follow the lead of Utah, Montana, and the American Lands Council and build a coalition of western states, strength in numbers; "Stand up and show some courage for a change. This issue has been around since the formation of statehood, through the Sagebrush Rebellion of the '70s and '80s up to now. If the state Legislature refuses to act, then each individual county in Idaho will." He said Idaho needs to have its day with the Supreme Court.

#### **LEE PINKERTON**

**Lee Pinkerton** spoke in favor of the transfer of lands to the state. He said at one time the timber harvest was 50 million board feet and today it is less than 12 million board feet each year. He noted that there are estimates of 8 billion board feet of timber in Idaho that is dead or dying and is not being removed from the forest due to regulations by the Forest Service. He said the economy, education and way of life in northern Idaho has suffered. He said the state needs to try to get back its resources and use common sense.

#### **ROY NUNN**

**Roy Nunn** agreed with **Mr. Pinkerton**. He thinks that Idahoans are the best suited to managing the land in Idaho.

#### **LYNDA FIORAVANTI**

**Lynda Fioravanti** also spoke in favor of transferring the federal lands back to Idaho. She stated that receiving title to the lands within Idaho's borders is imperative to the state's future. She said that currently the federal government closes off the lands for Idahoans' use and leaves the land in disrepair so that it's a tinder box, rabid with bug infestation. She also stated that payment in lieu of taxes (PILT) money continues to decrease, while school and road funding continues to increase.

**Ms. Fioravanti** said if the state of Idaho was able to get the lands back, one way for Idaho to prosper might be to offer people ages 18 to 49 years old (residents of Idaho for at least one year) a minimum ten acre parcel purchase for \$1,000 per acre. In her opinion, the state would then receive property taxes on the land and a small influx of cash from the purchases. **Ms. Fioravanti** encouraged everyone to think of the possibilities this could create for Idaho and its youth.

#### **JEREMY CONLIN**

**Jeremy Conlin** stated that the jobs created to responsibly manage our resources will lead to increased local and state revenue and savings. He said that a study by the American Lands Council has shown that lands managed by states are more than ten times more productive than when managed by the federal government. In his opinion, trained forest management teams — good jobs in north Idaho — would improve the health and value of the wonderful forests and lessen the risk and loss from devastating fires, as well as lessen the expense of fighting those fires. Fewer citizens will be threatened by the losses and more would be encouraged to be good stewards of the land.

**Mr. Conlin** noted that a recent news report stated that the Federal Reserve may once again reduce the amount of valuable minerals in U.S. coins due to a growing shortage supply of zinc. He said that perhaps the Chinese interest in Hall Mountain in Boundary County is in anticipation of that and other

rare earth minerals vital to our nation. North Idaho, the state of Idaho and the U.S. would benefit from this committee's efforts to lead a responsible American utilization of its own natural resources.

He added that prudent management of the many valuable resources in north Idaho would provide a healthy return on investment for the state's budget and provide a rich source of revenue to stabilize the funding of our public school system.

He emphasized that north Idaho has innovative and resourceful people who want to be productive and to create a place that their children want to come back to. **Mr. Conlin** suggested that north Idaho would be a good place to create a model — an incubator — for the productive and rewarding management of Idaho's resources.

#### **KEN THACKER**

**Ken Thacker** explained that he worked for the BLM for over 30 years. He commented that federal land management is very complex and expensive. He said that state ownership of these lands will not be any different. He said that the list of the laws that apply to BLM lands alone is 18 pages long. The list of Forest Service laws and regulations is thousands of pages long.

**Ken Thacker** went on to discuss the following:

- General Mining Act 1872 -- established the mining claim system and is still being used on federal lands today. He said that many of the claimants on these lands today are small miners that would not have the funds to buy their claims if they did have the mother lode on their land. It would end up going to larger companies.
- Mineral Leasing Act 1920 -- allows actual profits to be made by some energy related developments (coal and off-shore oil and gas). He said that Idaho does have phosphate leases in southern Idaho.
- Taylor Grazing Act 1934 -- in the mid-1970s, the grazing fee was \$1.35 per animal unit month (AUM) and it is still \$1.35. He said this is a serious bargain for public lands grazing and allows many privately owned ranches to stay in business.

He went on to mention many other acts that have been put in place by the federal government to show the complexity involved and to say that people that benefit from these laws would still want to keep those rights should the state get the land transferred.

#### **FRANK SCHWAB**

**Frank Schwab** has 15 acres, connecting his property to 500 acres of county property on which he can hunt, fish, hike, etc. His land also touches 5,000 acres of federal land on which all of the fire trails have been closed. He said he cannot even walk on the federal land due to all of the dead trees, 6-inch-thick pine needles and dead limbs that leave the land inaccessible to citizens or fire crews. When he asked the federal government about fighting fires, he was told "we have helicopters." In his opinion, this is not acceptable and is an assault on his independence.

**Mr. Schwab** noted that last year Idaho received \$600 million for almost 2 trillion board feet of timber and asked where anyone can buy any wood for less than \$1.00 a board foot.

In conclusion, **Mr. Schwab** said that Idaho has the right to be self-supporting and getting the public lands back is a good place to start.

#### **HEATHER SCOTT**

**Heather Scott** said that in the primary election this year, she was elected by 64% of the Republican voters of District 1. She said that the voters in her district have made it very clear that Idaho ownership of Idaho lands is a very high priority. She stated that the people of this district want state control of Idaho and its resources. She emphasized that the people of her district are not willing to settle for anything less than ownership of the lands as a final goal.

#### **TRAVIS THOMPSON**

**Travis Thompson** said that it is an established fact supported unanimously by the U.S. Supreme Court that the constitution requires the lands within the state be under state control. He said the land for the federal government's use is to be granted to them by the state legislature.

He went on to say that the constitution was not written in two parts: one for states east of Colorado and one for states west of Colorado. He noted that there is, however, a staggering difference between the states in respect to the amount of federal land retained for federal control, and this difference is marked by a clear, distinct line that runs north to south at this midpoint of the county.

In his opinion, now is the time for Idaho to claim the same authority under the same constitution as the state's east of Colorado claimed and demand our equal footing with those states. He urged that now is the time to act and said that it is a violation of the legislator's oath of office not to.

#### **ARLENE HOWELL**

**Arlene Howell** spoke in support for the state of Idaho to take the management of federal public lands back. Her concern is that the state keep those lands for all Idaho citizens for multiple use and not sell them or trade them for commercial purposes. She also commented that the county commissioners in the area should have a strong voice in the management of the lands in their respective counties.

In her opinion, logging should still be permitted and managed with stringent authority of the county commissioners to protect the environment. She said Idaho needs control of the lands to fund schools and provide employment for the communities.

#### **LAURA BRY**

**Laura Bry** spoke against the decision to acquire title to and control of public lands controlled by the federal government in the state. She said that Idahoans, when asked, clearly value and enjoy our public lands and do not want these lands put at risk for sale to private owners.

**Ms. Bry** stated that according to an Idaho Outdoor Business Council news release in February 2013, "Outdoor recreation creates more than 77,000 jobs, \$6.3 billion in consumer spending, \$1.8 billion in wages and \$461 million in state and local tax revenue, according to a new report from the Outdoor Industry Association." She said to her that sounds like good business and a solid path forward for the future.

In her opinion, it is Idaho's duty and responsibility to work with agencies of the federal government to balance the uses of the public lands in Idaho. The right to hunt, fish, camp and hike in Idaho is an essential heritage for all Americans and must be protected.

Based on her own research, she has come to the conclusion that Idaho will be unable to force these lands into state possession. However, according to **Ms. Bry**, if Idaho were successful in this takeover, Idaho citizens would be in a position where the Legislature and Governor would not protect and would seek to sell those lands.

#### **DANIELLE AHRENS**

**Danielle Ahrens** spoke in favor of the transfer to help fund education, cities and counties in the area. She noted that state-managed lands produce \$16.40 per acre in revenue while the PILT payment is only 26¢ per acre from the federal government.

#### **STEVE LOCKWOOD**

**Steve Lockwood** spoke to the importance of the federal lands to Idaho's economy. He said that the federal lands help attract and keep businesses in the area. He said that businesses recruit employees based on the quality of life in Idaho and specifically on the values of the public federal lands. He said that state lands do not have the same impact because they are managed to different goals. In his opinion, federal lands are well managed for a multiplicity of uses including timber-based recreation, preserving the water and air quality and wildlife and plant life. He noted that there are

many collaborative efforts that involve the local communities in planning and maintenance of the federal lands for mutual benefits. He concluded by saying the federal lands attract tourism and attract and hold businesses looking for a high quality of life for owners and employees. He urged the committee to support this high quality of life by retaining the federal lands under their current ownership by and for all.

#### **JAMES KLAUS**

**James Klaus** spoke in favor of the transfer and agreed with what others had said regarding the states east of Colorado being treated differently than the western states.

#### **BRAD CEDERBLOM**

**Brad Cederblom** said he owns several parcels of timberland in Idaho and said that he is not in favor of how the Forest Service is managing the lands in Idaho. He admitted that unfortunately there is mismanagement of state lands as well. He stated that the Forest Service has gone from logging to recreation and they are not very good at that either. What he is seeing is roads being closed and gates being put up instead of allowing multiple use of the land. He added that there are probably just as many gates on state lands as on federal lands so he is not sure the state would manage the lands much differently.

Another concern he voiced is that if the state gets control of the lands, the state would sell them to pay off debts or to exchange them for lands in other states. He is not in favor of that. He is also concerned that the state cannot afford to maintain the lands if the transfer were to be made due to the cost of firefighting but also due to the fact that there are many miles of Forest Service roads that are in disrepair.

**Mr. Cederblom** made the comment that Idaho elects an Attorney General and he has said that it is folly for Idaho to sue for the federal lands. **Mr. Cederblom** said he is disappointed that after this AG opinion an outside attorney was hired to do what the AG said was folly.

#### **PHIL DEUTCHMAN**

**Phil Deutchman** stated that by signing the enabling act for Idaho, he questions whether Idaho can actually get the land back from the federal government. He wants to keep the land as it is for future generations.

#### **ANDREW SORG**

**Andrew Sorg** expressed the need for caution and cooperation with the federal government with regards to its control of public lands. In his opinion, the "go-it-alone" approach that others are advocating will not only cause increased costs to the present management budget for regulated state lands but could also prove to be unmanageable by causing further damage to the ecosystem through the spread of invasive species that Idaho cannot control alone.

He went on to say that the continued existence of the Greater sage-grouse (*Centrocercus urophasianus*) is one of the reasons — and an important reason — that this Interim Committee was formed. The grouse habitat in the Great Basin has slowly declined through the decades due to two primary factors: wildfires and invasive species. These two factors go hand in hand. When invasive plant species spread across the terrain, it becomes more susceptible to wildfires.

**Mr. Sorg** continued that while much of the reason the sage-grouse is being considered as an endangered species is due to this loss of habitat, Idaho should see this loss of habitat as a threat to us as well. Even with the current management plan, we may be heading into an alternative stable state for the ecosystem of southern Idaho where wildfires become commonplace and rangeland becomes useless to ranchers and their livestock. The blow to the budget and the economy of Idaho would be catastrophic. Federal assistance to combat invasive species is necessary to slow this event from happening. Every year that we protect natural habitat is money saved for Idaho. While the

sage-grouse is a perfect example, this same story exists here in the panhandle of Idaho where we combat the constant threats invasive species have on our lakes and forests.

**Mr. Sorg** said, using the most recent data, the noxious weed management cost in Idaho is approximately \$7 million to \$10 million annually with \$5.7 million coming directly from BLM and USFS federal grants, either given as direct payments or added to the weed cost share fund. He went on to explain that this means between 57% to over 80% of Idaho's invasive species budget comes from the federal government. He stated that if Idaho plans on taking over management of our public lands in a "go-it-alone" approach, the state risks losing it all.

He concluded that, as previously shown in the March 2014 meeting, Idaho has examples in the recent past where collaborative efforts with federal law has created successes for Idaho. He stated that Idaho should not spend its money battling in courts when it could be using that time negotiating with all prospective stakeholders and creating another success story for both the sage grouse and the Great State of Idaho.

#### **SUSAN DRUMHELLER**

**Susan Drumheller**, Idaho Conservation League, said that Idaho cannot afford the transfer of federal lands. She said an economic analysis of this proposal has shown that it will cost the state \$1.5 billion in the first 10 years alone. She said the immediate impact would be the loss of 2,500 federal jobs that generate \$10 million in annual income. She added that the study showed that it would cost \$190 million for fire suppression in the first year — almost five times what the state currently spends on firefighting. According to **Ms. Drumheller**, it is feared that these high costs would result in the sale of these lands to private owners. She suggested that the committee instead work to form collaborative groups to work together to find solutions to the problems that exist.

#### **DENISE ZEMBRYKI**

**Denise Zembryki** spoke against the transfer of federal lands. She said the argument that the western states are being discriminated against by the federal government is not true. She is from Pennsylvania and gave an example of a 1.5 million-square-mile park in western New York. She stated that some communities in that area have restrictions on how they can access that land. She said it is a valuable part of that state's economy.

In her opinion, Idaho cannot afford the transfer of federal land.

#### **DAN DINNING**

**Dan Dinning** stated that the Secure Rural Schools and Community Self-Determination Act is a big part of the financial picture in this issue. He said there are five counties that joined together and brought forth a proposal to Congress that became HR1526 -- Restoring Healthy Forests for Healthy Communities Act. The purpose of this bill was to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from National Forest System land, to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes. It passed the House in September 2013. **Mr. Dinning** said that one of the things this proposal did was to introduce the concept of community forests pilot projects.

#### **SCOTT ROCKLAND**

**Scott Rockland** spoke about the wolf issue and how it ties in to forests. In his research he has found that land management ties from wolves to forests for land management. He said that the Equal Access to Justice Act allows lawyers to immediately file a lawsuit in any county where there is a timber sale or mining claim simply to stop any sale or development. He said that the federal government is not managing the habitat at all and animals cannot get through it due to all of the overgrowth.

He urged the committee to allow for local control of the lands, if the state were to acquire them.

### **JANN HIGDEM**

**Jann Higdem**, Shoshone Planning and Zoning Commission member, reiterated that Section 8, Article I of our nation's constitution specifically gives the federal government only the power to purchase a short list of possible lands from the states. He stated that a national forest is not on that list.

He stated that SRS and PILT funding have decreased almost every year since they began and are no longer seemingly guaranteed. He said that the Forest Service just issued a letter to some concerned citizens, as well as the state and local governments in the panhandle area of the state, that stated while they must seek policies and opinions of state, local governments, tribes and the public regarding land management planning, they are not required to incorporate any of this into their plans. The Forest Service cited the Supremacy Clause in our constitution as their source of authority and power. **Mr. Higdem** said that this precedent-setting statement will soon be given to those in the Nez Perce/Clearwater forests as their land management plans are revised. According to **Mr. Higdem**, the Forest Service land management plan includes among other issues: taking more national forest areas away from public access; closing down roads/trails; and using fire as the primary healthy forest management strategy, be it set by nature or themselves intentionally.

He concluded that it simply must become apparent to the committee that the intentions toward Idaho's national forests are not meant to include "We the People" in the federal government's faulty "adaptive management" plans. He urged that now is the time to transfer these lands to the state that will wisely manage the lands in the best interests of its citizenry, not some higher level of government agencies or organizations with no real vested connections to the land.

### **BILL KEIS**

**Bill Keis**, professional geologist and environmental scientist, spoke against the transfer of ownership and management of federal lands to the control of the state and administered by the Idaho Department of Lands (IDL). In his opinion, this transfer of lands will be not be beneficial to the stewardship of these publicly held areas due to the long history and continuity of federal oversight; and the experience, funding, and checks and balances that have been developed to analyze and protect the interests of responsible public ownership ranging from citizens to corporate land users.

In evaluating this proposal, **Mr. Keis** said several question had crossed his mind. He submitted those in writing to the committee. Those questions are available at: [http://www.legislature.idaho.gov/sessioninfo/2014/interim/lands0912\\_keis.pdf](http://www.legislature.idaho.gov/sessioninfo/2014/interim/lands0912_keis.pdf).

In conclusion, he said that if the state is going to do this, it needs to remember that it is a steward of this land and that anything done needs to be done ethically, responsibly and for the good of current and future generations.

### **BRENT REGAN**

**Brent Regan** spoke for the transfer of federal lands to the state. He said that only the federal government can own millions of acres of land and lose money in the process. He asked how there would be any way the state of Idaho would not want these federal lands. In his opinion, it is absurd to think the federal government can do a better job than the citizens of Idaho. He noted that as a taxpayer it makes no difference whether the federal government or the state owns the land; it will cost the same either way. So he would rather have the state be in charge and have a chance of wisely managing the land and utilizing the resources properly.

**Mr. Regan** went on to discuss education. He said that School District 271 is stalled in labor negotiations due to the fact that teachers want a raise and health care costs have gone up and the district does not have the money to fund these things. He said the land is the solution to this problem.



He said the fear that these lands will be sold to private land holders is valid. He noted that there is a provision in the Idaho Constitution that allows for this with a limitation of 100 sections per year (64,000 acres). The public lands total 52,694 sections, so according to **Mr. Regan**, it would take 524 years to run out of land.

#### **CORNEL RASOR**

**Cornel Rasor** spoke in favor of the transfer of lands to the state. He stated that getting the federal lands back had been done before and should be done now. He stated that Idaho is only asking for 20 million acres of the land back, not including national parks, Indian lands, military bases and the like. He said that hunting, fishing and hiking rights would be respected and easements and all other aspects of such a transfer would have to be recognized. In his opinion, fire danger would be removed once the lands were properly cared for. He added that the land would no longer be subject to many federal regulations that are redundant. He said that if this is done properly, Idaho can revisit what has been done by other western states that have been given their land and get our land back also.

#### **DANIEL FURTNEY**

**Daniel Furtney** said he does not think the federal government manages anything very well, except wage wars.

He said the federal government treats the western states more like territories than sovereign states of the union. He emphasized that, as an Idahoan, he and everyone he knows feels that the state of Idaho needs to not politely ask for the land back as though it is some stepchild begging for a bone or scrap from the table, but the state of Idaho needs to have "Legislator Statesmen" who will demand the land be restored back to the state of Idaho.

**Mr. Furtney** said that the people of Idaho and "a State Legislature with Backbone will deal with the many liberal or progressive types who think they know best how to use our land. That goes double for the UN biodiversity plan or the Agenda 21 crowd and other Wacco [sic] types who want to control our land!"

In his opinion, for the federal government to say that they are just keeping the land in "trust" until the state can handle it is a joke. He said the state of Idaho is entitled to it just like the other eastern states and exclaimed that the people of Bonner County are now "DEMANDING YOU SECURE LEGISLATION AND RESTORE TITLE BACK TO THE STATE OF IDAHO FOR ALL FEDERAL LANDS EXCEPT THOSE WHERE MILITARY INSTALLATIONS OR OTHER FEDERAL BUILDINGS ARE INVOLVED!"

#### **NANCY DOOLEY**

**Nancy Dooley** commented that tourism is a \$3.9 billion industry in Idaho and she would like to see the lands protected. Over the past 20 years she said her family has found it much easier to recreate on federal lands. She said state lands are much more difficult to access with bad roads and trails. She also does not think the state would be able to afford to maintain the lands and fears that would lead to the sale of the lands to the private sector.

#### **ANDREW SCOTT**

**Andrew Scott** spoke in support of the transfer of lands to the state. He said that Idaho needs to be a forerunner in this effort to break the cycle of the federal government using confrontation and threats to create adversarial relationships between the states and federal agencies. He said that the populations of the western states have reached the point where they have a lot to lose by not pushing the federal government to transfer ownership of the land back.

He also stated that when Idaho gets the lands back, the counties should be in charge of the management because they are the closest to the land.

He also noted that the federal government can also sell the lands today.

## **BRENDA KLEIN**

**Brenda Klein** spoke in favor of the transfer of lands to the state. She agreed with everything that had been said earlier regarding the transfer of lands to the state.

## **ROBIN GRAY**

**Robin Gray** also spoke in favor of the transfer of land to the state. She agreed with others in relation to Idaho's enabling act being very similar to states that have received their federal lands back and said that Idaho needs to be equal to all other states.

## **THERESA SPARR**

**Theresa Sparr** stressed the importance of putting the counties at the forefront of the land management once the state gets the land back.

## **DEE SEXSMITH**

**Dee Sexsmith** spoke in favor of the transfer.

## **ANDY MOTT**

**Andy Mott** has been a tree farm owner for 17 years and has enjoyed a wonderful partnership with both the federal government and state government. He is against the transfer.

## **SHANE SATER**

**Shane Sater** sees both sides of the issue. He studies botany and ecology and is interested in forest health. He said he is against the transfer. He thinks the bottom line for the state would be how much money the state could get out of the lands for schools and transportation.

## **LARRY YERGLER**

**Larry Yergler**, Shoshone County Commissioner who also testified in St. Maries, explained that today there is more than twice the amount of downed timber in the forest than there was before the great fire of 1910. He said that if a fire were to start, it would be a huge catastrophe.

He went on to say that his county is currently working on a forest plan with five other counties in the area. He said there is 125 million board feet of growth in the forest annually and over 200 million board feet dies every year. The forest plan hopes to reduce the amount cut from the current 428-million-board-foot level that was set in the 1987 plan to approximately 121 million board feet. He has been told by a Forest Service supervisor that his budget only allows him to cut 31 million board feet this year.

**Mr. Yergler** said that the state could handle the management of these lands and that state lands are being managed today. He noted that the Forest Service budgets are so cut back, they cannot afford to manage the forest properly. He said that a study done in Montana claims that the Forest Service spends five times more per acre than the state of Montana lands agency, the BLM only spent two times more per acre. He said the study showed that BLM has 45 employees, state of Montana has 36 and the Forest Service has 210 employees in a million acres. He thinks the Idaho comparison is higher and suggested that the committee hire someone to do a similar study.

## **CAROL JENKINS**

**Carol Jenkins** bought land in Sagle 10 years ago and has been working to restore that land. In 2004 she attended meetings with the Forest Service to work out issues. She said it was a very interesting process but there was not much community participation at that time. In her opinion, Idahoans should celebrate the fact that the federal government is managing this land. She said it would be hard to imagine how much of a tax increase would be required of Idaho citizens if the state were to take over the land. She would like to see the state and the federal government work together to fix the formula for education and to open new diversified business opportunities for the state.

## **RAY ATKINSON**

**Ray Atkinson** asked how could the federal government possibly know more about managing lands than the people who live in the area. In his opinion, the state could do a much better job.

## **GARY PAYTON**

**Gary Payton** is against the transfer of land. He said the phrase "take back our land" is like a bumper sticker. In his opinion, reasonable people should be collaborating and discussing showcase projects that could occur in the area. He read from an article by **Representative George Eskridge** promoting a collaborative effort to move forward to support demonstration projects and to discuss how to better manage the land. He said the state needs to prove that the demonstration projects actually work and then it can move on to getting more land back.

## **ART FILCH**

**Art Filch** commented the amount of money spent by the federal government to manage the lands would be a lot for the state to take on. He said everyone needs to realize that if the state gets the land, state taxes will increase but the federal taxes will not go down. In his opinion, the forest needs to be preserved for the future, not just for the short term.

## **GLEN BAILEY**

**Glen Bailey**, Bonner County Commissioner, commented that there is a Forest Collaboration Committee that works together and gives recommendations to the Forest Service. He stated that the forest is full of root rot, bugs and overgrowth. **Mr. Bonney** from the Forest Service has admitted that the forest is not as healthy as it should be and that it has not been as well managed as it could be. **Mr. Bailey** said that cooperation and coordination are key and the federal government has not done either in this area. He said the committee should insist the Forest Service work together with the state to manage the land properly.

## **CHRIS ALLEN**

**Chris Allen** spoke about sovereignty. He said Idaho is not coequal to other states because the federal government owns so much of our land. He asked why the federal government is smarter and more concerned about the quality and beauty of Idaho lands than Idahoans. He said Idaho needs to start the process of getting the land back to be coequal to other states.

## **ERIC VAN ORDEN**

**Eric Van Orden**, Coeur d'Alene Tribe, stated that the tribe was in opposition to the transfer of lands to the state. He said that even though the tribe had issues with the federal government in the beginning, there is a trust responsibility the federal government has with them. He reminded everyone that the tribe is a sovereign nation and has treaties and agreements with the federal government. There is also the fact that much of the Indian land was ceded to the state. He said the federal government has a duty to protect the tribe and its culture and sacred sites. **Mr. Van Orden** added that if federal lands were to be transferred to anyone, it should be to the tribe. He said the Coeur d'Alene Tribe is in favor of continued collaborative efforts and thinks that even though it is moving slowly, this will work.

## **REPRESENTATIVE ED MORSE**

**Representative Ed Morse**, District 2B, stated that there is probably not a good argument for a legal transfer of the lands to the state but there could be a case on an economic basis. He explained that PILT payments are 81¢ per acre in one county while private contribution is about \$4.00 per acre. He said there is a huge discrepancy between the productivity on state and federal land. He stated that the federal land is not managed well for fires or insects and that mismanagement spreads over to the private land as well. He emphasized that the local communities are suffering due to the lack of federal timber that is available for logging.

## **ERIC REDMAN**

**Eric Redman** stated that now is the time for the federal government to return the public lands consisting of 62% of Idaho back to the citizens of the sovereign state of Idaho. He said this is one of the reasons he became a candidate for the state Legislature. He spoke about the fact that Idaho needs to be on equal footing with other states that have possession of their land. He said that the United States Constitution contains no expression of intent to authorize the federal government to indefinitely exercise control over western public lands beyond the duty to manage the lands pending the disposal of the lands to create new states, and therefore the lands should be now transferred to the western states and that this has been done before for the states east of Colorado. He went on to say that as much as 90% of all lands in Illinois and Missouri (and Alabama, Louisiana, Arkansas, Indiana and Florida) were federally controlled for decades but not today. He explained that Idaho's enabling act clause is virtually the same, so there is no reason Idaho should not have control of its land.

## **DANIEL ROSE**

**Daniel Rose** is allowed to cut four cords of wood a day in the forest. In his opinion, he is doing what the BLM should be doing by thinning the forest. He thinks more people will begin to do this type of thing once the state gets the land back.

## **BOB BINGHAM**

**Bob Bingham**, North West Property Owners Alliance, compared PILT payments received to what would be received by the counties in property tax revenue. He said that at half the going property tax rate (.5% not 1%) and using a conservative low-assessed valuation value (\$800/ac), Idaho's counties were cheated out of at least \$104 million in property taxes in 2013. He stated that at these "discounted" values, Kootenai County should have received at least another \$400,000, but Shoshone County should have received \$4.5 million more in PILT money. He went on to explain that at \$1,200 an acre land value and a full 1% property tax rate, Idaho would receive over \$350 million dollars in annual property tax revenue; that is a full 13% of our \$2.7 billion Idaho budget.

**Mr. Bingham** reiterated that western states like Idaho still have large chunks of land being held by the federal government, thus greatly reducing each state's property tax revenue to pay for city, county and state services. He said that the federal government should either transfer the land to each western state or make PILT payments equal to lost property tax revenue.

## **JEFF AVERY**

**Jeff Avery** agrees with what **Mr. Allen** had said earlier. He said Idaho's way of life is dying and lawmakers have a duty to save it.

## **ROD BARCKLAY**

**Rod Barcklay** does not support the transfer of land back to the state, especially in the Priest Lake area. In that area, when comparing what the state has done to what the federal government has done, the state has maximized the extraction of timber and minerals while the federal government has managed for a multiple use concept. He supports the federal government's approach.

The meeting was adjourned at 3:20 p.m.